



New South Wales

Independent Commission Against Corruption Amendment Act 2008 No 123

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Independent Commission Against Corruption Amendment Act 2008 No 123

Act No 123, 2008

An Act to amend the *Independent Commission Against Corruption Act 1988* in relation to proceedings for offences and other matters; and to amend the *Protected Disclosures Act 1994* in relation to the public officials covered by that Act. [Assented to 16 December 2008]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Independent Commission Against Corruption Amendment Act 2008*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Acts

The Acts specified in Schedules 1 and 2 are amended as set out in those Schedules.

4 Repeal of Act

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

[8] Section 116 Proceedings for offences

Omit “section 80 (c) or 81” from section 116 (4).

Insert instead “section 80 (c), 81, 82 or 95”.

[9] Schedule 4 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

*Independent Commission Against Corruption Amendment Act
2008*

[10] Schedule 4, Part 8

Insert at the end of the Schedule:

**Part 8 Provisions consequent on enactment of
Independent Commission Against
Corruption Amendment Act 2008**

22 Definition

In this Part:

amending Act means the *Independent Commission Against
Corruption Amendment Act 2008*.

23 Restriction on publication of written submissions

The amendment made to section 112 by the amending Act extends to any written submissions received by the Commission before the commencement of the amendment.

24 Commencement of proceedings under section 82 or 95

The amendment made to section 116 by the amending Act extends to offences committed, or alleged to have been committed, before the commencement of the amendment.

25 Operation of amendments to section 11

Section 11, as amended by the amending Act, extends to possible corrupt conduct that occurred before the date of assent to that Act.

Schedule 2 Amendment of Protected Disclosures Act 1994 No 92

(Section 3)

Section 4 Definitions

Omit “and (without limitation), includes” from the definition of *public official*.

Insert instead “and (without limitation and to avoid doubt), includes an individual in the service of the Crown or of a public authority”.

[Agreement in principle speech made in Legislative Assembly on 28 November 2008
Second reading speech made in Legislative Council on 4 December 2008]

BY AUTHORITY